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Apr 1, 2024

ANGELA E. NOBLE
CLERK U.S. DIST. CT.
S. D. OF FLA. - MIAMI

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. **24-20131-CR-GAYLES/GOODMAN**

18 U.S.C. § 371

18 U.S.C. § 981(a)(1)(C)

18 U.S.C. § 982(a)(5)(B)

UNITED STATES OF AMERICA

vs.

MONICA M. RODRIGUEZ,

Defendant.

INFORMATION

The United States Attorney charges that:

GENERAL ALLEGATIONS

At various times relevant to this Information:

Exports from the United States

1. The Census Bureau required the filing of electronic export information (“EEI”) for exports of goods and technology from the United States to Mexico when the value of the export or technology exceeded \$2,500. The EEI was filed by entering data into an electronic portal called the Automated Export System (“AES”). The AES was maintained by the U.S. Census Bureau, an agency within the U.S. Department of Commerce and by the U.S. Customs and Border Protection, an agency within the U.S. Department of Homeland Security.

2. The EEI included the date of the export, the U.S. principal party of interest, the description of the commodity to be exported, the value of the commodity, the consignee's name and address, and the country of destination.

3. In addition to the EEI, exporters, shippers, and freight forwarders were required to maintain records for each outbound shipment, including an invoice or bill of sale which identified the seller in the United States, the buyer in the foreign country, the item being sold, and the price.

4. These requirements strengthened the United States' ability to identify, and when necessary, confiscate illegal shipments prior to exportation.

Outboard Engines

5. Vessels could be powered by different types of engines, such as outboard engines, which were mounted outside a vessel's hull.

6. Outboard engines varied in cost, size, horsepower, and other features. Manufacturers assigned letters and numbers to each outboard engine model which included the engine's horsepower (hp), such as 300, 200, and 150.

7. Each outboard engine was identified with a unique serial number.

Freight Forwarding Companies

8. Company 1 was a Florida corporation incorporated in or around January 2006. Company 1 offered services as a freight forwarder. It maintained a warehouse and business office in Miami, Florida.

9. Company 2 was a Florida corporation incorporated in or around April 2015. Company 2 offered services as a freight forwarder. It maintained a warehouse and business office in Miami, Florida.

The Defendant

10. Defendant **MONICA M. RODRIGUEZ** was a resident of Miami-Dade County, Florida.

11. From approximately January 2006 to approximately April 2018 defendant **MONICA M. RODRIGUEZ** worked at Company 1.

12. From approximately May 2018 to at least May 2019 defendant **MONICA M. RODRIGUEZ** worked at Company 2.

**Conspiracy to Export Stolen Vessel Parts and to
Smuggle Goods from the United States
(18 U.S.C. § 371)**

13. From at least as early as in or around April 2015, through in or around May 2019, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendant,

MONICA M. RODRIGUEZ,

did willfully, that is, with the intent to further the objects of the conspiracy, and knowingly combine, conspire, confederate, and agree with others known and unknown to the United States Attorney, to commit any offense against the United States of America, that is:

- a. to export vessel parts, that is, outboard engines, knowing the same to be stolen, in violation of Title 18, United States Code, Section 553(a)(1);
- b. to fraudulently and knowingly export and send from the United States any merchandise, article and object, that is, outboard engines, contrary to any law and regulation of the United States, that is, Title 13, United States Code, Section 305, in violation of Title 18, United States Code, Section 554(a).

PURPOSE OF THE CONSPIRACY

14. It was the purpose of the conspiracy for the defendant and her co-conspirators to

unlawfully enrich themselves and others by knowingly exporting to Mexico outboard engines and parts that had been stolen, and by submitting false export information to the United States.

MANNER AND MEANS OF THE CONSPIRACY

The manner and means by which the defendant and her co-conspirators sought to accomplish the objects and purpose of the conspiracy included, among other things, the following:

15. **MONICA M. RODRIGUEZ** and her co-conspirators communicated with others, in the United States and Mexico, with regard to exporting stolen outboard engines and parts from the Southern District of Florida to Mexico.

16. **MONICA M. RODRIGUEZ** and her co-conspirators received and delivered stolen outboard engines and other vessel parts to freight-forwarding companies controlled by members of the conspiracy.

17. **MONICA M. RODRIGUEZ** and her co-conspirators caused false serial number stickers to be placed on the outboard engines to conceal that the engines were stolen.

18. **MONICA M. RODRIGUEZ** and her co-conspirators caused fluids to be drained from the outboard engines to create the appearance that the engines were acquired legitimately and to prepare the engines for export to Mexico.

19. **MONICA M. RODRIGUEZ** and her co-conspirators caused false and fraudulent bills of sale and invoices to be created, which purported to document the sale of outboard engines to others in Mexico.

20. **MONICA M. RODRIGUEZ** and her co-conspirators made arrangements for the outboard engines and parts to be transported from the United States to Mexico by air, by sea, and by ground.

21. **MONICA M. RODRIGUEZ** and her co-conspirators received and made payments, including cash payments, for the freight export charges, the false serial number stickers, and the stolen engines and parts.

22. **MONICA M. RODRIGUEZ** and her co-conspirators caused false and fraudulent EEI to be submitted to the United States based on fraudulent bills of sale and invoices.

OVERT ACTS

In furtherance of the conspiracy and to achieve the purpose and objects thereof, the defendant and her co-conspirators committed and caused to be committed in the Southern District of Florida and elsewhere, at least one of the following overt acts, among others:

1. On or about April 23, 2019, in Miami, Florida, **MONICA M. RODRIGUEZ** caused an EEI to be submitted to the United States for stolen outboard engines to be exported to Mexico via ocean cargo.

2. On or about May 1, 2019, in Miami, Florida, **MONICA M. RODRIGUEZ** caused a Bill of Lading to be created for stolen outboard engines to be transported to Mexico via ground.

All in violation of Title 18, United States Code, Section 371.

FORFEITURE ALLEGATIONS **(18 U.S.C. § 981(a)(1)(C) and § 982(a)(5)(B))**

1. The allegations in this Information are re-alleged and incorporated by reference as though fully set forth herein for the purpose of alleging criminal forfeiture to the United States of America of certain property in which the defendant, **MONICA M. RODRIGUEZ**, has an interest.

2. Upon conviction of a conspiracy to violate Title 18, United States Code, Section 553(a)(1), as alleged in this Information, the defendant so convicted shall forfeit to the United

States of America, pursuant to Title 18, United States Code, Section 982(a)(5)(B), any property, real or personal, which represents or is traceable to the gross proceeds obtained, directly or indirectly, as a result of such violation.

3. Upon conviction of a conspiracy to violate Title 18, United States Code, Section 554(a), as alleged in this Information, the defendant so convicted shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 981(a)(1)(C), any property, real or personal, which constitutes or is derived from proceeds traceable to such violation.

All pursuant to Title 18, United States Code, Section 982(a)(5)(B), Title 18, United States Code, Section 981(a)(1)(C), as made applicable by Title 28, United States Code, Section 2461(c), and the procedures set forth in Title 21, United States Code, Section 853.



MARKENZY LAPOINTE
UNITED STATES ATTORNEY



ANA MARIA MARTINEZ
ASSISTANT UNITED STATES ATTORNEY

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

UNITED STATES OF AMERICA

CASE NO.: _____

v.

MONICA M. RODRIGUEZ,

CERTIFICATE OF TRIAL ATTORNEY_____
Defendant.

Court Division (select one)

- ☒ Miami ☐ Key West ☐ FTP
☐ FTL ☐ WPB

Superseding Case Information:

New Defendant(s) (Yes or No) _____

Number of New Defendants _____

Total number of new counts _____

I do hereby certify that:

1. I have carefully considered the allegations of the indictment, the number of defendants, the number of probable witnesses and the legal complexities of the Indictment/Information attached hereto.
2. I am aware that the information supplied on this statement will be relied upon by the Judges of this Court in setting their calendars and scheduling criminal trials under the mandate of the Speedy Trial Act, Title 28 U.S.C. §3161.
3. Interpreter: (Yes or No) Yes
List language and/or dialect: Spanish
4. This case will take 0 days for the parties to try.
5. Please check appropriate category and type of offense listed below:

(Check only one)	(Check only one)
I <input checked="" type="checkbox"/> 0 to 5 days	<input type="checkbox"/> Petty
II <input type="checkbox"/> 6 to 10 days	<input type="checkbox"/> Minor
III <input type="checkbox"/> 11 to 20 days	<input type="checkbox"/> Misdemeanor
IV <input type="checkbox"/> 21 to 60 days	<input checked="" type="checkbox"/> Felony
V <input type="checkbox"/> 61 days and over	
6. Has this case been previously filed in this District Court? (Yes or No) No
If yes, Judge _____ Case No. _____
7. Has a complaint been filed in this matter? (Yes or No) No
If yes, Magistrate Case No. _____
8. Does this case relate to a previously filed matter in this District Court? (Yes or No) Yes
If yes, Judge _____ Case No. SEE ATTACHMENT
9. Defendant(s) in federal custody as of _____
10. Defendant(s) in state custody as of _____
11. Rule 20 from the _____ District of _____
12. Is this a potential death penalty case? (Yes or No) No
13. Does this case originate from a matter pending in the Northern Region of the U.S. Attorney's Office prior to August 8, 2014 (Mag. Judge Shaniek Maynard? (Yes or No) No
14. Does this case originate from a matter pending in the Central Region of the U.S. Attorney's Office prior to October 3, 2019 (Mag. Judge Jared Strauss? (Yes or No) No
15. Did this matter involve the participation of or consultation with Magistrate Judge Eduardo I. Sanchez during his tenure at the U.S. Attorney's Office, which concluded on January 22, 2023? No
16. Did this matter involve the participation of or consultation with now Magistrate Judge Marta Fulgueira Elfenbein during her tenure at the U.S. Attorney's Office, which concluded on March 5, 2024? No

By: _____

ANA MARIA MARTINEZ

Assistant United States Attorney

FL Bar No. 0735167

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 24-20131-CR-GAYLES/GOODMAN

CERTIFICATE OF TRIAL ATTORNEY

ATTACHMENT

UNITED STATES OF AMERICA

v.

MONICA M. RODRIGUEZ,

Defendant.

8. Does this case relate to a previously filed matter in this District Court? YES

**21-CR-20592-Moreno
22-CR-20269-Scola
23-CR-20344-Williams**

By:



**ANA MARIA MARTINEZ
ASSISTANT UNITED STATES ATTORNEY
FL Bar No. 0735167**

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: MONICA M. RODRIGUEZ

Case No: _____

Count #: 1

Title 18, United States Code, Section 371

Conspiracy to Export Stolen Vessel Parts and to Smuggle Goods from the United States

* Max. Term of Imprisonment: 5 years

* Mandatory Min. Term of Imprisonment (if applicable): N/A

* Max. Supervised Release: 3 years

* Max. Fine: \$250,000 or twice the gross gain or loss resulting from the offense

*Refers only to possible term of incarceration, supervised release and fines. It does not include restitution, special assessments, parole terms, or forfeitures that may be applicable.

AO 455 (Rev. 01/09) Waiver of an Indictment

UNITED STATES DISTRICT COURT
for the
Southern District of Florida

United States of America

v.

Monica M. Rodriguez,

Defendant

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)
)

Case No.

WAIVER OF AN INDICTMENT

I understand that I have been accused of one or more offenses punishable by imprisonment for more than one year. I was advised in open court of my rights and the nature of the proposed charges against me.

After receiving this advice, I waive my right to prosecution by indictment and consent to prosecution by information.

Date: _____

Defendant's signature

Signature of defendant's attorney

Printed name of defendant's attorney

Judge's signature

Judge's printed name and title